

## REMARKS

Claims 9, 12, 14, 17, 19-21 have been canceled, claims 8, 10, 11, 13, 15, 16, 18, and 22-24 have been amended. No claims have been added by way of this response. Thus, claims 8, 10, 11, 13, 15, 16, 18, and 22-24 are currently pending and presented for examination. Applicants respectfully request reconsideration and allowance of the pending claims in view of the foregoing amendments and the following remarks.

### Response to Rejections Under Section 112:

Claims 8, 19, and 22 stand rejected under 35 U.S.C § 112, the Examiner stating that the term “a specimen” is unclear. Applicants respectfully submit that the German term “prüfling” was interpreted as specimen in the English translation. However, “prüfling” also means thing under test which is consistent with the application. An English-German translation of the term “prüfling” from the link below is provided herewith.

[www.iee.et.tu-dresden.de/cgi-bin/cgiwrap/wernerr/search.sh?string=pr%FCfling&nocase=on&hits=50](http://www.iee.et.tu-dresden.de/cgi-bin/cgiwrap/wernerr/search.sh?string=pr%FCfling&nocase=on&hits=50).

Applicants have amended the claims to show that the specimen is a device under test and respectfully request the Examiner to withdraw the Section 112 rejection.

### Response to Rejections Under Section 102:

Claims 8-24 stand rejected under 35 U.S.C § 102(b), the Examiner contending that these claims are anticipated by Katseff et al (USPN 6,233,249). Applicants' Claim 1 provides an unsecured transmission by the end devices (the control unit and the device to be tested). The transmitted unsecured transmission is converted to a secured transmission at a point between the end devices. In contrast, Katseff teaches the opposite where the end devices (clients 92, 94, 110, 92A) use a secured transmission and at a point between the end devices (ISP 88) an unsecured transmission is used. Furthermore, Applicants' Claim 8 recites:

providing data at a control unit, the data in a first format that corresponds to a transmission protocol used for an unsecured transmission of the data, the data having a command for testing the device to be tested;

Kasteff does not teach or suggest the data includes a command for testing the device to be tested. In view of the above, claim 8 is not anticipated by Katseff. Furthermore, claim 22, which

Serial No. 10/519,367  
Atty. Doc. No. 2002P09631WOUS

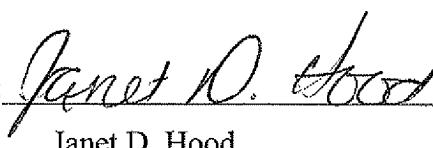
in includes similar limitations is not anticipated by Katseff. Thus, claims 10, 11, 13, 15, 16 and 18 which depend on claim 8 and claims 23 and 24 which depend on claim 22 are also patentable at least based on their dependency as well as based on their own merits. Therefore, Applicants respectfully request that the Examiner withdraw the Section 102 rejections.

### Conclusion

For the foregoing reasons, it is respectfully submitted that the objections and rejections set forth in the outstanding Office Action are inapplicable to the present claims. All correspondence should continue to be directed to our below-listed address. Accordingly, Applicants respectfully request that the Examiner reconsider the objections and rejections and timely pass the application to allowance. Please grant any extensions of time required to enter this paper. The commissioner is hereby authorized to charge any appropriate fees due in connection with this paper, including fees for additional claims and terminal disclaimer fee, or credit any overpayments to Deposit Account No. 19-2179.

Respectfully submitted,

Dated: 04-16-2008

By:   
Janet D. Hood  
Registration No. 61,142  
(407) 736-4234

Siemens Corporation  
Intellectual Property Department  
170 Wood Avenue South  
Iselin, New Jersey 08830